

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

CANDICE J. NOVAK,

Plaintiff,

vs.

**TAKATA CORPORATION, TK HOLDINGS,
Inc.; HONDA MOTOR COMPANY, LTD.,
AMERICAN HONDA MOTOR CO., Inc.;
HONDA R&D CO., LTD., HONDA OF
AMERICA MFG., INC., and
CORPORATION DOE 1-10,**

Defendants.

8:19CV324

ORDER

This matter is before the Court on the Plaintiff's Reply Regarding Order to Show Cause, ECF No. 5. Plaintiff discovered that Defendant Takata Corporation is the subject of bankruptcy proceedings in Japan, as well as Chapter 15 bankruptcy proceedings in the U.S. Bankruptcy Court for the District of Delaware.¹ Plaintiff has attached a copy of the Delaware Bankruptcy Court's Order Granting Final Relief for Recognition of Foreign Main Proceedings ("Order of Recognition"). ECF No. 5, Page ID 14.

Under NEGenR 1.5(a)² and 28 U.S.C. § 157, this matter will be stayed as to Defendant Takata Corporation. The parties shall notify the Court if other Defendants are subject to pending bankruptcy proceedings.

¹ Plaintiff indicates that the "Takata entities" are subject to bankruptcy proceedings. However, Takata Corporation is the only defendant in this case also identified as a debtor in bankruptcy. See ECF No. 5, Page ID 14 n.1. If appropriate, the parties may indicate to the Court whether other Defendants in this case are subject to pending bankruptcy proceedings and the Court will stay this action as to those parties or refer this matter to the bankruptcy court.

² NEGenR 1.5(a)(1) states:

Upon the filing of a suggestion in bankruptcy, or other notification that a party to a civil case is a debtor in a bankruptcy case, the court issues an order staying further proceedings in

Accordingly,

IT IS ORDERED:

1. This case is stayed as to Defendant Takata Corporation;
2. This case may proceed against the remaining Defendants.

Dated this 2nd day of December 2019.

BY THE COURT:

s/Laurie Smith Camp
Senior United States District Judge

the case as to the party in bankruptcy. The case may proceed as to any parties not in bankruptcy. If any party files a motion requesting referral of the case to the bankruptcy court, the case is referred to the bankruptcy court for further action. Upon receiving the referral, the bankruptcy judge requests status reports from the parties. After reviewing the status reports, the bankruptcy judge determines whether the case should proceed in bankruptcy court or be returned to district court. If the case is to be returned to district court, the bankruptcy judge files a report and recommendation concerning withdrawal of the reference. The report includes a recommendation regarding the necessity of the debtor's participation in the case, and, if appropriate, the bankruptcy judge enters an order in the bankruptcy case granting relief from the automatic stay to allow the case to proceed with the debtor as a party.